

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

NATASHA RAE SMITH,

Petitioner,

v.

ANGELA MESMER,

Respondent.

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No. 2:20-CV-13-NAB

MEMORANDUM AND ORDER

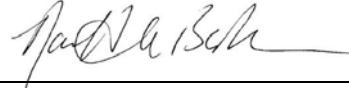
This matter is before the Court upon the motion of *pro se* petitioner Natasha Rae Smith's motion for the appointment of counsel. [Doc. 2.] The motion will be denied without prejudice.

"A *pro se* litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether the appointment of counsel is appropriate, the Court considers factors such as the complexity of the case, the ability of the *pro se* litigant to investigate the facts, the existence of conflicting testimony, and the ability of the *pro se* litigant to present her claims. *Id.*

After considering these factors, the Court finds that the appointment of counsel is unwarranted at this time. This case is neither factually nor legally complex. In addition, petitioner has demonstrated that she can adequately present her claims to the Court, and it does not appear that her claims involve information unavailable to her. However, the Court recognizes that circumstances may change. The Court will therefore deny the motion for the appointment of counsel without prejudice, and will entertain future motions for the appointment of counsel, if appropriate, as this case progresses.

Accordingly,

IT IS HEREBY ORDERED that petitioner Natasha Rae Smith's motion for the appointment of counsel [Doc. 2] is **DENIED** without prejudice.



NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of March, 2020.